

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOHN TONY WHITESELL,

Plaintiff

Case No. 2:24-cv-00662-CDS-DJA

ORDER

v.

NYE COUNTY SHERIFF'S OFFICE, et al.,

Defendants

I. DISCUSSION

According to the Nye County Detention Center inmate database, Plaintiff is no longer incarcerated. However, Plaintiff has not filed an updated address with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a "pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party's attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." Nev. Loc. R. IA 3-1. This Court grants Plaintiff until **October 25, 2024**, to file his updated address with this Court. If Plaintiff does not update the Court with his current address by **October 25, 2024**, this case will be subject to dismissal without prejudice.

Additionally, the Court denies the application to proceed *in forma pauperis* for prisoners (ECF Nos. 4, 5) as moot because Plaintiff is no longer incarcerated. The Court now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner by **October 25, 2024**, or pay the full filing fee of \$405.

II. CONCLUSION

For the foregoing reasons, it is ordered that Plaintiff will file an updated address with the Clerk of the Court by **October 25, 2024**.

It is further ordered that Plaintiff's application to proceed *in forma pauperis* for

1 prisoners (ECF Nos. 4, 5) is denied as moot.

2 It is further ordered that the Clerk of the Court will send Plaintiff the approved form
3 application to proceed *in forma pauperis* by a non-prisoner, as well as the document
4 entitled information and instructions for filing an *in forma pauperis* application.

5 It is further ordered that by **October 25, 2024**, Plaintiff will either: (1) file a fully
6 complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the full
7 filing fee of \$405.

8 It is further ordered that, if Plaintiff fails to timely comply with this order, this case
9 will be subject to dismissal without prejudice.

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11 DATED: September 26, 2024

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13 UNITED STATES MAGISTRATE JUDGE
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